

FLETCHER & SIPPEL LLC

ATTORNEYS AT LAW

29 North Wacker Drive
Suite 800
Chicago, Illinois 60606-3208

THOMAS J. LITWILER
(312) 252-1508
tlitwiler@fletcher-sippel.com

Phone: (312) 252-1500
Fax: (312) 252-2400
www.fletcher-sippel.com

May 31, 2019

247847

VIA ELECTRONIC FILING

Ms. Cynthia T. Brown
Chief, Section of Administration
Office of Proceedings
Surface Transportation Board
395 E Street, S.W., Room 1034
Washington, DC 20423-0001

ENTERED
Office of Proceedings
May 31, 2019
Part of
Public Record

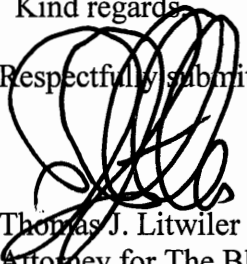
Re: **SDM-1108 - The Blacklands Railroad
System Diagram Narrative**

Dear Ms. Brown:

Attached for filing at the Board pursuant to 49 C.F.R. § 1152.12(a) and (d) are a system diagram narrative for The Blacklands Railroad and an affidavit of service and publication.

Please feel free to contact me if you have any questions regarding this filing. Thank you for your assistance on this matter. Kind regards,

Respectfully submitted,


Thomas J. Litwiler
Attorney for The Blacklands Railroad

TJL:tl

Attachments

AB-1108
THE BLACKLANDS RAILROAD
SYSTEM DIAGRAM NARRATIVE

The Blacklands Railroad (BLR) hereby provides notice, pursuant to the regulations of the U.S. Surface Transportation Board at 49 C.F.R. 1152, Subpart B, that the following rail line owned by the Northeast Texas Rural Rail Transportation District (NETEX) and operated by BLR has been placed in Category 1, reflecting BLR's anticipation that the line will be the subject of a discontinuance application by BLR within the next three years. NETEX holds a residual common carrier obligation on the line and will be responsible for rail service on the line upon BLR's discontinuance of operations. NETEX has recently engaged in a course of conduct that is inconsistent with NETEX's contractual and other legal obligations to BLR and with the public interest, and that has significantly affected the continued viability of rail operations on the line.

CATEGORY 1:

- (a) Carrier's designation of line: BLR-NETEX Line
- (b) State in which line is located: Texas
- (c) Counties in which line is located: Hunt, Delta, Hopkins, Franklin and Titus
- (d) Mileposts delineating line: Milepost 555.0 at Greenville (Simtrott), Texas to milepost 489.41 near Winfield, Texas, including overhead trackage rights over Union Pacific Railroad Company (UP) from milepost 489.41 near Winfield to milepost 479.0 at Mount Pleasant, Texas.
- (e) Agency or terminal stations on line:
 - Greenville, milepost 551
 - Commerce, milepost 537
 - Sulphur Springs, milepost 518
 - Mount Vernon, milepost 495.3

NOTE: BLR will continue to provide local rail service on UP's Winfield-Mount Pleasant rail line pursuant to an existing lease arrangement with UP.

BLR will furnish a copy of this system diagram narrative to an interested person upon reasonable request. Please contact BLR's counsel, Thomas J. Litwiler, Fletcher & Sippel LLC, 29 North Wacker Drive, Suite 800, Chicago, IL 60606-3208, (312) 252-1500, tlitwiler@fletcher-sippel.com.

04/2019

**AFFIDAVIT OF
SERVICE AND PUBLICATION
49 C.F.R. § 1152.12(d)**

I hereby certify, on behalf of The Blacklands Railroad, that:

1. Service. On May 3, 2019, a copy of the attached system diagram narrative was served by first class mail, postage prepaid, upon the Governor and public service commission/designated state agency of the State of Texas, as follows:

Hon. Greg Abbott
Governor
State of Texas
P.O. Box 12428
Austin, TX 78711-2428

Mr. Peter Espy
Director, Rail Division
Texas Department of Transportation
125 East 11th Street
Austin, TX 78701-2483

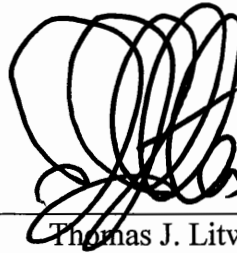
2. Publication: The attached system diagram narrative was published in the following newspapers in each county through which the relevant rail line passes:

<u>County</u>	<u>Newspaper</u>	<u>Date</u>
Hunt	<i>Herald-Banner</i> (Greenville)	April 27, 2019
Delta	<i>Cooper Review</i> (Cooper)	May 2, 2019
Hopkins	<i>The Sulphur Springs News-Telegram</i> (Sulphur Springs)	April 27, 2019
Franklin	<i>Mount Vernon Optic-Herald</i> (Mount Vernon)	May 2, 2019
Titus	<i>Mount Pleasant Tribune</i> (Mount Pleasant)	May 1, 2019

Affidavits of publication from each of these newspapers are attached.

3. Posting: On April 26, 2019, a copy of the attached system diagram narrative was posted any each BLR station through which business for the relevant line is received or forwarded, as follows:

Blacklands Railroad Depot
641 Church Street
Sulphur Springs, TX 75482

A handwritten signature in black ink, appearing to be 'TJ Litwiler', written over a horizontal line.

Thomas J. Litwiler

Dated: May 31, 2019

AB-1108
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04/2019

AFFIDAVIT

STATE OF TEXAS
COUNTY OF HUNT

Advertiser: Fletcher & Sippel

Before me, the undersigned authority, in this day personally appeared Lisa Chappell / Kerri Gibbs who duly swears, deposes and says that she is the Publisher / Advertising Manager of the Herald-Banner; that said newspaper is regularly published in Greenville, Hunt County, Texas; and that the attached notice was published in said newspaper on the following date(s):

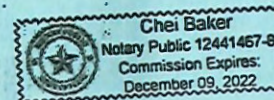
4/27/19

Lisa Chappell, Publisher / Kerri Gibbs, Advertising Manager

Subscribed and sworn to, before me, this date 4-29-19

Witness my hand and seal of office

Notary Public, State of Texas



PUBLIC NOT

AB-1108 THE BLACKLANDS RAILROAD SYSTEM DIAGRAM NARRATIVE

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Hunt, Delta, Hopkins, Franklin and Titus
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(d) Mileposts delineating line:

Milepost 555.0 at Greenville (Simtrott),
Texas to milepost 489.41 near
Winfield, Texas, including overhead
trackage rights over Union Pacific
Railroad Company (UP) from milepost
489.41 near Winfield to milepost 479.0
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Litwiler, Fletcher & Sippel LLC, 29 North Wacker
Drive, Suite 800, Chicago, IL 60606-3208, (312) 252-
1500, tlitwiler@fletcher-sippel.com.

04/2019

Public Notice

Q&A

Are internet-only public notices sufficient?

No. The internet is a valuable resource,
but it's not a viable stand-alone source
for public notices.

Newspapers have been printing public notices
in Texas since 1836. Generations of Texans
have come to expect their notices in print. And
now Texas papers provide this crucial service
in print AND online...at no extra charge.

With newspapers, more people NOTICE
their public notices.

And that, after all, is what notice is

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Cooper Review

Delta County's Hometown Newspaper

PUBLISHER'S AFFIDAVIT

Item: AB-1108 The Blacklands Railroad System Diagram Narrative

I HEREBY DEPOSE that the foregoing order was published in the **COOPER REVIEW** on the following dates: May 2, 2019

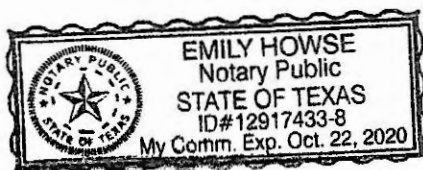
COOPER REVIEW

By: Jim Butler
Publisher

Personally appeared JIM BUTLER and made oath that the foregoing statement by him subscribed is true and correct.

Emily Howse
Notary Public, State of Texas

Date: May 29, 2019



(SEAL)

Ben Franklin News

By Festus Hagen

Well another week of rain has come and the grass just shoots up each day. I do have to say, though, the roses and irises everywhere are just beautiful. The yards are looking very lush and green this time of year. I have hung out my hummingbird feeders and so far have seen one and filled all my bird feeders, too, and the birds are really going after the goodies.

This Thursday, May 2, will be the Delta County Public Library luncheon and it will be another good one with all kinds of tasty vittles. The menu includes chicken salad, Texas Caviar, cherry pie filling salad, dill crackers, honeybunny cake and banana bread brownies. Hope to see all you fine folks there this Thursday for some visiting and good eats.

This Saturday, May 4th, will be the annual 20 mile garage sale and Market on the Square in Ladonia. Garage sales will be going on in Ladonia with vendors set up on the square, also, and garage sales in Bug Tussie, Pecan Gap, Ben Franklin and Dial. For

more details contact @ coladonia.org, and phone numbers 972-757-8920 or 469-222-2955. There will also be food vendors on the square and some scattered along the 20-mile route. Hopefully, the rain will have slowed down enough for every one to have a good time.

Sunday, May 5th will be the 63rd Annual, Ben Franklin Garden of Memories Cemetery Association's homecoming held in the BFGM Chapel building. There will be a brief membership meeting and a potluck luncheon starting with registration at 11 a.m. The BFGM Assoc. will be furnishing fried chicken, rolls and drinks and attendees are asked to bring a covered dish of their choice and/or a dessert. All our trustees will be on hand to serve up the food and help as needed. These fine volunteers include Loyd and Audrey Vandygriff, Jan Moore, Julie Lovell, Margie Long, Dr. Torance Vandygriff, Peggy Johnston, Ladoice Hervey and Ron Spear. Our last three potlucks for

the homecoming have been successful with plenty of food for everyone. It is a special time for former and present Ben Franklin and Delta County residents to come together for a visit and in remembrance of those no longer with us. We also pay respects to all our serving veterans and those who are no longer with us. As a reminder, even though we have this event early in May, we do still put out the flags for veterans resting in the cemetery for Memorial Day which has been our tradition and quietly done by Loyd and Audrey Vandygriff for years.

Prayers and thoughts for healing go out to Pam Cattabiani, Jim Conrad and Oleada Morris and all our friends who may be having health concerns.

I thought of the Cooper Cleanup Crew when I read this quote and wanted to share.

"Never doubt that a small group of thoughtful, committed citizens can change the world; indeed, it's the only thing that ever has." - Margaret Mead

Looking for Information about These Names in the Stars

By Janis Thomas, Editor

Following is a list of the names that are in the stars outside Miller's Drugstore. If you know how these people got their animal nicknames or anything else about them, please contact Cooper Review, either at

jthomas@cooperreview.com or 903-395-2175. We plan to run an article about each of them. Donkey Jones, Fishy George, Bull Tom Darwin, Rabbit Mims, Stud Stovall, Cow Holcomb, Bunny Burns, Bat Potet, Poacher Watkins, Bear Wilkins, Possum Pence, Fox Clark, ET on the

River, Wild Hog Man, Snake Stockton, Coon Cummings, Puss Irwin, Cat Kinslow, Buck Day, Hossey Hubbard, Puss McGuyer, Turkey Beckham, Chick Cavanaugh, Racehorse Johnson, Hoss Chesnut, Rabbit Foster, Bull Bettles, Goat Smith, Baby Beef Chandler, Foxy Roan, Goebel Templeton, Sallie Crowder, Wolf Lowery, Hawk McBride, Hoss Sloan, Mule Clark, Skeeter Sims, Bear Rainey, Hoot Owl Hatcher, Pig Choate, Hoss Wilhite.

Cooper Marble & Granite Works

Gratefully serving NE Texas since 1908
East End Waco Ave. Cooper, Texas
903-395-2555 or 1-800-999-7918
pioneerrememorials@verizon.net



Serving Cooper & All of Delta County
"The Name You Know.
The People You Can Trust!"

451 SW First Street
Cooper, Texas 75432 **903-395-2165**
www.deltafuneralhome.com
George Stapp - President

Delta County Civic Center

221 E Bonham Ave, Cooper, TX 75432

Senior Center Activities

Open 9 a.m. till Noon

Everyone is invited!
Great way to meet new people.

Hot Lunch Daily from 11 a.m. to noon.
Bingo on Tuesdays at 10 a.m.
Exercise Classes on Monday, Wednesday, and Friday from 10 a.m. to 11 a.m.
Other presentations throughout the month - look for announcements.

CHURCH FISH FRY

Saturday, May 4th ~ 5 p.m. to 7 p.m.

Ignite Ministries
628 FM 1528
Cooper, Texas

\$10 Per Person; kids under 5 eat free.

Eat until the food is gone.

Silent Auction

FOOD: Fish, fries, hush puppies, cole slaw, beans, desserts, tea and more!

Fundraiser for Ignite Student Ministry.

COME SUPPORT US!
www.ignitechristians.com

Classified Section

Service Directory



Delta Glass
Residential/Commercial
903-395-2007

Public Notice

NOTICE TO CREDITORS

Notice is hereby given that original Letters Testamentary for the Estate of Mozelle M. Ray, Deceased, were issued on April 22, 2019, in Cause No. A3258, pending in the County Court of Delta County, Texas, to: Carlton

Public Notice

Ray Martin.

All persons having claims against this Estate which is currently being administered are required to present them to the undersigned within the time and in the manner prescribed by law.

c/o: Cynthia Humphries
Attorney at Law
P. O. Box 162
Cooper, TX 75432

DATED the 22nd day of April, 2019.

Cynthia Humphries
Attorney for Carlton Ray Martin
State Bar No.: 10277390
P. O. Box 162
Cooper, TX 75432
Telephone: (903) 395-2210
Facsimile: (903) 395-2210
E-mail: cindyh@cumbtyel.com

Subscribe

Subscribe to
the Cooper
Review
903-395-2175

Public Notice

Delta County
Clean-up
Extended
Through May 5
"Free"
Dumpsters available at all
four Precinct Barns.
No tires.

Public Notice

LEGAL NOTICE:

This Texas Lottery Commission scratch ticket game will close on May 18, 2019. You have until November 14, 2019, to redeem any tickets for this game: **#2101 Holiday Cash Drop** (\$2) overall odds are 1 in 4.55. These Texas Lottery Commission scratch ticket games will close on July 3, 2019. You have until December 30, 2019, to redeem any tickets for these games: **#2071 Lucky Dog** (\$1) overall odds are 1 in 4.99, **#2081 Double Bonus Crossword** (\$3) overall odds are 1 in 3.61, **#2102 Money Madness** (\$5) overall odds are 1 in 4.10, **#2096 Season's Greetings** (\$10) overall odds are 1 in 3.45, **#1759 \$200 Million Payout** (\$10) overall odds are 1 in 3.28, **#1671 \$500,000,000 Cash** (\$20) overall odds are 1 in 2.76, **#2014 Mega 7's** (\$20) overall odds are 1 in 3.05, **#2030 Ultimate 7's** (\$50) overall odds are 1 in 3.38. **txlottery.org** is the official source for all pertinent game information. Game closing procedures may be initiated for documented business reasons. These games may have prizes unclaimed, including top prizes. In addition, game closing procedures will be initiated when all top prizes have been claimed. During closing, games may be sold even after all top prizes have been claimed. Must be 18 or older to purchase a ticket. For help with a gambling problem, **ncpgambling.org**. © 2019 Texas Lottery Commission. PLAY RESPONSIBLY.

Public Notice

AB-1108
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04/2019

SULPHUR SPRINGS NEWS-TELEGRAM PUBLISHER'S AFFIDAVIT

ITEM: Fletcher & Sippel LLC-Blacklands Railroad System

I HEREBY DEPOSE that the foregoing orders was published in the **SULPHUR SPRINGS NEWS TELEGRAM**, a newspaper which is published with the general circulation in Hopkins County, on the following dates:

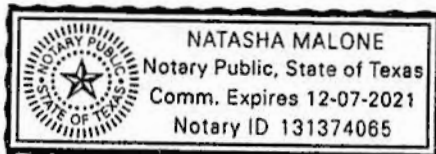
April 27, 2019

SULPHUR SPRINGS NEWS TELEGRAM

Signed: Stephanie Page

Personally, appeared Stephanie Page and made oath that The foregoing statement by her subscribed is true and correct.

Subscribed and sworn to before me on the
29th day of May 2019



Natasha Malone

Notary Public in and for Hopkins County, Texas

Mount Vernon Optic-Herald
Franklin Information Systems, Inc.
108 South Kaufman St., P. O. Box 1199
Mount Vernon, Tx 75457
903-537-2228 - Fax 903-537-2227

Affidavit of Publication

The State of Texas
The County of Franklin

Before me, the undersigned authority, on this day personally appeared Susan B. Reeves,
who, after being duly sworn, deposes and says:

1. That she is the publisher of the *Mount Vernon Optic-Herald*, a newspaper of general circulation in Franklin County, Texas, and published in the City of Mount Vernon, Texas.
2. That She Published a Public Notice: THE BLACKLANDS RAILROAD SYSTEM DIAGRAM NARRATIVE, in its issues of May 2, 2019.



Susan B. Reeves

Sworn to and subscribed before me, this the 2nd day of May, 2019.



Terri Cruitt
Notary Public, Franklin County, Texas



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3-855-6125

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TDA will accept objections to its release of fund and the City of Mount Vernon certification for a period of fifteen days following the anticipated submission date or its actual receipt of the request (whichever is later) only if they are on one of the following bases: (a) the certification was not executed by the Certifying Officer of the City of Mount Vernon; (b) the City of Mount Vernon has omitted a step or failed to make a decision or finding required by HUD regulations at 24 CFR part 58; (c) the grant recipient or other participants in the development process have committed funds, incurred costs or undertaken activities not authorized by 24 CFR Part 58 before approval of a release of funds by TDA; or (d) another Federal agency acting pursuant to 40 CFR Part 1504 has submitted a written finding that the project is unsatisfactory from the standpoint of environmental quality. Objections must be prepared and submitted in accordance with the required procedures (24 CFR Part 58, Sec. 58.76) and shall be addressed to Pam Wozniak, Environmental Compliance at the TDA Office of Rural Affairs at P.O. Box 12847, Austin, Texas 78711. Potential objectors should contact HUD/State to verify the actual last day of the objection period.

The Honorable Teresa Wims
Mayor

TDA de la certificación satisfice sus responsabilidades según la NEPA y las leyes y autoridades relacionadas, y permite que la Ciudad de Mount Vernon utilice los fondos del Programa.

OBJECIONES A LA LIBERACIÓN DE FONDOS

TDA aceptará objeciones a su liberación del fondo y la certificación de la Ciudad de Mount Vernon por un período de quince días a partir de la fecha de presentación anticipada o su recepción real de la solicitud (la que sea posterior) solo si se encuentran en una de las siguientes bases: (a) la certificación no fue ejecutada por el Oficial de Certificación de la Ciudad de Mount Vernon; (b) la Ciudad de Mount Vernon ha omitido un paso o no ha tomado una decisión o hallazgo requerido por las regulaciones de HUD en 24 CFR parte 58; (c) el receptor de la subvención u otros participantes en el proceso de desarrollo han comprometido fondos, han incurrido en costos o realizado actividades no autorizadas por 24 CFR Parte 58 antes de la aprobación de una liberación de fondos por parte de TDA; o (d) otra agencia federal que actúa de conformidad con 40 CFR Parte 1504 ha presentado un hallazgo por escrito de que el proyecto no es satisfactorio desde el punto de vista de la calidad ambiental. Las objeciones deben prepararse y enviarse de acuerdo con los procedimientos requeridos (24 CFR Parte 58, Sec. 58.76) y deben dirigirse a Pam Wozniak, Cumplimiento Ambiental en la Oficina de Asuntos Rurales de TDA en el P.O. Box 12847, Austin, Texas 78711. Los objetores potenciales deben comunicarse con HUD / State para verificar el último día real del período de objeción.

El honorable Teresa Wims
Alcalde

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04/2019

(F&S 41-11c)

PUBLIC NOTICE

REQUEST FOR COMPETITIVE SEALED PROPOSALS: MOUNT VERNON ISD, 507 Texas Highway 37, Mount Vernon, Texas 75457 is seeking proposals for qualified special education service providers for the following services: Speech Pathologist, Bilingual Assessment Specialist / Diagnostician, Licensed Specialist in School Psychology, Licensed Professional Counselor, Board Certified Behavior Analyst, Occupational Therapist, Occupational Therapist Assistant, Physical Therapist, Physical Therapist Assistant, In-Home/ Parent Training Services Orientation and Mobility Specialist, Visual Impairment Teacher, Educational Diagnostician, Auditory Impairment Teacher, American Sign Language Interpreter, Speech-Language Pathologist Assistant, Other Contracted Special Education Services. Please contact Ms. Lori Barker at 903-537-9912 or by email at lbarker@mtvernonisd.net to obtain a proposal packet with terms and specifications or with any questions. Sealed proposals must be submitted to MVISD at the above address by 3:00 p.m. on June 20, 2019, and must be labeled Special Education Services Proposal #192001. (MVISD - SECS 41-21c 19)

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Affidavit of Publication

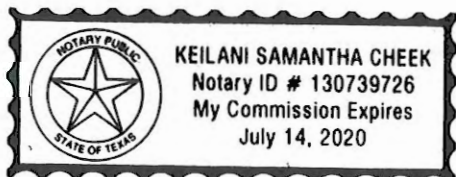
The State of Texas

County of Titus

Before me, the undersigned authority, on this day personally appeared Tony Cooper, Publisher of the Mount Pleasant Tribune of Mount Pleasant, Texas, who being by me duly sworn, upon oath deposes and says: that the attached notice was published in the Mount Pleasant Tribune; a newspaper published in the English language and of general circulation in Titus County, Texas for more than one year prior to the date of first publication of said notice in the issue(s) of

May 1, 2019 and
that attached newspaper clipping is a true and correct copy of said published notice.

Publisher signature



Sworn to and subscribed before me this 1
day of May 2019.

Keilani Samantha Cheek
Notary Public in and for the State of Texas

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LEGAL

AB-1108

THE BLACKLANDS RAILROAD SYSTEM DIAGRAM NARRATIVE

The Blacklands Railroad (BLR) hereby provides notice, pursuant to the regulations of the U.S. Surface Transportation Board at 49 C.F.R. 1152, Subpart B, that the following rail line owned by the Northeast Texas Rural Rail Transportation District (NETEX) and operated by BLR has been placed in Category 1, reflecting BLR's anticipation that the line will be the subject of a discontinuance application by BLR within the next three years. NETEX holds a residual common carrier obligation on the line and will be responsible for rail service on the line upon BLR's discontinuance of operations. NETEX has recently engaged in a course of conduct that is inconsistent with NETEX's contractual and other legal obligations to BLR and with the public interest, and that has significantly affected the continued viability of rail operations on the line.

CATEGORY 1:

- (a) Carrier's designation of line: BLR-NETEX Line
- (b) State in which line is located: Texas
- (c) Counties in which line is located: Hunt, Delta, Hopkins, Franklin and Titus
- (d) Mileposts delineating line: Milepost 555.0 at Greenville (Simtrott), Texas to milepost 489.41 near Winfield, Texas, including overhead trackage rights over Union Pacific Railroad Company (UP) from milepost 489.41 near Winfield to milepost 479.0 at Mount Pleasant, Texas.
- (e) Agency or terminal stations on line: Greenville, milepost 551
Commerce, milepost 537
Sulphur Springs, milepost 518
Mount Vernon, milepost 495.3

NOTE: BLR will continue to provide local rail service on UP's Winfield-Mount Pleasant rail line pursuant to an existing lease arrangement with UP.

BLR will furnish a copy of this system diagram narrative to an interested person upon reasonable request. Please contact BLR's counsel, Thomas J. Litwiler, Fletcher & Sippel LLC, 29 North Wacker Drive, Suite 800, Chicago, IL 60606-3208, (312) 252-1500, tlitwiler@fletcher-sippel.com. 04/2019

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GARAGE SALES

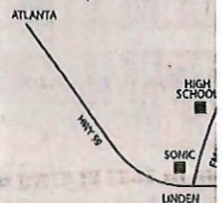
Furniture, electric wheelchair, walkers, lift chairs, misc. items. 1990 67E about 1.5 miles before the light. Look for signs. Saturday only.

MOVING: Antique bed, mattress set, dining table w/ chairs, desk, doll house, chess set, skylights. 785-375-5779 or see at 576 CR 1475

May 4 Yard Sale: 5 families, lots of everything, girls clothes, women's clothes all sizes. Saturday 8-3 p.m., if raining it's cancelled. 5975 N. HWY 271. Approx. 5

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confirmation. Inspi
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approximately 5
Watch for a

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Pots & Pans (NEW!)
Toaster Oven
Cups
Shredder
Blender
Chopper
STORAGE:
Refrigerators
Couch
Rocking Chairs
Rocking Horse
Stereo
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Electric Scooters
Flat Screen TVs
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